

**WAGNER, JONES, KOPFMAN,  
& ARTENIAN LLP**  
NICHOLAS J.P. WAGNER, SBN 109455  
ANDREW B. JONES, SBN 076915  
DANIEL M. KOPFMAN, SBN 192191  
LAWRENCE M. ARTENIAN, SBN 103367  
1111 E. Herndon, Ste. 317  
Fresno, CA 93720  
Telephone: 559.449.1800  
Facsimile: 559.449.0749

Attorneys for Plaintiffs

**GIBSON, DUNN & CRUTCHER LLP**  
CATHERINE A. CONWAY, SBN 98366  
cconway@gibsondunn.com  
JESSE A. CRIPPS, SBN 222285  
jcripps@gibsondunn.com  
333 South Grand Avenue  
Los Angeles, CA 90071-3197  
Telephone: 213.229.7000  
Facsimile: 213.229.7520

## SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY, PC

JAMES H. HANSON (admitted *pro hac vice*)  
jhanson@scopelitis.com  
10 West Market Street, Suite 1500  
Indianapolis, IN 46204  
Telephone: 317.492.9205  
Facsimile: 317.687.2414

Attorneys for Defendant WAL-MART STORES, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHARLES RIDGEWAY, JAIME FAMOSO,  
JOSHUA HAROLD, RICHARD BYERS, DAN  
THATCHER, NINO PAGTAMA, WILLIE  
FRANKLIN, TIM OPITZ, FARRIS DAY,  
KARL MERHOFF and MICHAEL KROHN

## Plaintiffs.

V.

WAL-MART STORES, INC., a Delaware corporation d/b/a WAL-MART TRANSPORTATION LLC, and Does One through and including Doe Fifty,

## Defendants.

[Previously captioned as *Bryan et al. v. Wal-Mart Stores, Inc.*]

CASE NO. 3:08-cv-05221-SI

**STIPULATED REQUEST AND  
[PROPOSED] ORDER TO REMOVE  
APRIL 19 SETTLEMENT CONFERENCE  
FROM CALENDAR**

The undersigned counsel, on behalf of Plaintiffs Charles Ridgeway, Jaime Famoso, Joshua Harold, Richard Byers, Dan Thatcher, Nino Pagtama, Willie Franklin, Tim Opitz, Farris Day, Karl Merhoff, and Micheal Krohn (“Plaintiffs”) and Defendant Wal-Mart Stores, Inc. (“Wal-Mart,” and collectively, with Plaintiffs, the “Parties”), hereby stipulate as follows, subject to the Court’s approval:

## RECITALS

WHEREAS, at the request of the Parties who voluntarily agreed to proceed to a mediation with a federal magistrate, the Court scheduled a settlement conference before Chief Magistrate Judge Spero which is currently set for April 19, 2016 (ECF 250);

WHEREAS the Parties have met and conferred and through that meet and confer process have elected to use a private mediator in lieu of a federal magistrate judge, and the parties are in the process of selecting and scheduling a mediation with that mediator.

## **STIPULATION**

Accordingly, the Parties now jointly stipulate and respectfully request that this Court remove the currently scheduled settlement conference with Magistrate Judge Spero from the Court's calendar.

Pursuant to Local Rule 6-2(a), the declaration of Jesse A. Cripps in support of this stipulation is filed herewith.

## IT IS SO STIPULATED.

Dated: April 15, 2016

1 By: /s/ Daniel Kopfman

2 Daniel Kopfman  
3 WAGNER, JONES, KOPFMAN, &  
4 ARTEMIAN LLP  
5 Attorneys for Plaintiffs

By: /s/ Jesse A. Cripps

Jesse A. Cripps  
GIBSON, DUNN & CRUTCHER LLP

Attorneys for Defendant

I, Jesse A. Cripps, attest that concurrence in the  
filing of this document has been obtained from the  
other signatory.

1 **[PROPOSED] Order**  
2

3 Pursuant to the above stipulation, the Stipulation and Order regarding the settlement  
4 conference postponement is approved.

5 DATE: 4/18/16

6   
7

8 THE HONORABLE SUSAN ILLSTON  
9 UNITED STATES DISTRICT JUDGE

10 By April 25, 2016, counsel shall report to the Court the name  
11 of the private mediator and the scheduled date of the mediation  
12 session.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26